

Revise Temporary Revocations

A summary of the proposal to revise temporary revocations including supporting, opposing, and neutral responses to the proposal

Overview

The Nevada Department of Sentencing Policy (NDSP) collaborated with the Nevada Department of Corrections (NDOC), the Nevada Division of Parole and Probation (NPP), and the Nevada Board of Parole Commissioners (Parole Board) to develop a proposal to revise how temporary revocations for technical violations are imposed.

At the May 9, 2022, Nevada Sentencing Commission (Commission) meeting, the Commission approved by a majority the conceptual proposal to remove the temporary revocation of 30 days and authorize NPP to impose jail or electronic monitoring as intermediate sanctions before seeking a temporary revocation. The concept resulted in Assembly Bill No. 32 (2023).

However, the Commission disagreed about specific details of the policy and how it should be implemented.

Summary

History of Temporary Revocations	<p>Enacted in Assembly Bill No. 236 (2019) (AB 236) as a response to technical violations of supervision (30 days for a 1st temporary revocation, 90 days for 2nd, 180 days for a 3rd, and a full revocation for a 4th)</p>
History of Proposal	<p>Dec 2021 - May 2022: NDSP, NDOC, NPP, and the Parole Board met several times to develop recommendations to improve implementation of AB 236 (2019)</p> <p>Feb 24, 2022: Initial proposal presented to Commission</p> <p>Apr 28, 2022: Commissioners invited to meet individually w/NDSP to discuss proposal</p> <p>May 9, 2022: Detailed proposal presented to Commission; Commission approved by a majority to include conceptual proposal in BDR</p>

Impacts	<ul style="list-style-type: none"> ● Promote swift, proportional, and certain sanctions for supervision - sanctions will be less likely to disrupt housing, employment, and other factors that improve success on supervision ● Reduce costs associated with housing parolees in the NDOC facing alleged technical violations ● Initial data analysis showed that parolees were spending an average of 69 days in NDOC for a 1st temporary revocation (30 days)
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Responses from the Commission

Supporting	Opposing
Authority for NPP to use intermediate sanction for technical violation provides an additional opportunity for rehabilitation	Burden on local jails
Longer temporary revocation can result in loss of job and housing	Expands AB 236 graduated sanctions
Neutral	
<ul style="list-style-type: none"> ● Change increases penalty for first temporary revocation ● Require specific guidance that jail and electronic monitoring are an intermediate sanction before the first temporary revocation - make it clear that jail and electronic monitoring are to be used after the other sanctions have been exhausted ● Include specific guidance on how to determine length of confinement in jail or length of electronic monitoring 	

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